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FM MIAMI (183A-510) (OC-2) P

TO DIRECTOR (145A-5822) ROUTINE

BT

UNCLAS

MIPORN; RICO; 00:MIAMI.

ROBERT DI BERNARDO, AKA; ET AL; ITOM; ITOM CONSPIRACY; 00:MIAMI.

(MIAMI FILE 145-1442).

SUBJECTS DI BERNARDO AND [REDACTED] CONVICTED U.S. DISTRICT COURT, MIAMI, ON ~~MAY~~ <sup>JUNE</sup> 12, 1981, ON SEVEN COUNTS OF ITOM AND ITOM CONSPIRACY. SENTENCING DATE NOT YET SET.

SUBJECT ANDREA D'APICI WAS GRANTED SEVERANCE FROM CO-DEFENDANTS IN VIEW OF AFFIDAVIT PRESENTED TO THE COURT, STATING THAT D'APICI WOULD TESTIFY ON BEHALF OF SUBJECTS DI BERNARDO [REDACTED] D'APICI APPEARED IN OPEN COURT JUNE 9, 1981, AND REFUSED TO TESTIFY, CITING FIFTH AMENDMENT RIGHT. U.S. DISTRICT COURT JUDGE EUGENE SPELLMAN HELD D'APICI IN CONTEMPT OF COURT AND SENTENCED

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V-63

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47 JUN 24 1981

57 JUN 28 1981

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PAGE TWO MM (183A-510) UNCLAS

HIM TO A SIX MONTH JAIL TERM.

BUREAU WILL BE ADVISED OF SENTENCING.

AIRMAIL COPIES BEING SENT TO BOSTON (ATTN: SA BRUCE ELLAVSKY)  
AND LOUISVILLE (ATTN: SA )

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NYO 176 288020Z

FM HQ BG MM NR

DE NY 034

R 142100Z OCT 81

FM NEW YORK (183-1549) P (M-9)

TO DIRECTOR ROUTINE

BROOKLYN/QUEENS ROUTINE

MIAMI (183A-510) PRIORITY

NEW ROCHELLE ROUTINE

BT

UNCLAS

MIPORN, RICO, OO: MIAMI.

ROBERT DIBERNARDO, AKA ET AL, ITOM: OO: MIAMI (MM FILE 145-1422

REMMTEL, OCTOBER 8, 1981.

THE NYO HAS A POLICY OF RESISTING REQUESTS FOR TESTIMONY FROM INFORMANT CONTACT AGENTS AT FATICO HEARINGS IN ORDER TO AVOID THAT AGENT'S EXPOSURE TO THE UNCERTAINTIES OF CROSS-EXAMINATION AND HIS EXPOSURE TO THE PUBLIC WHILE OPERATING IN A CONTINUING CONFIDENTIAL RELATIONSHIP.

THE NYO BELIEVES THAT TESTIMONY REGARDING DIBERNARDO'S ASSOCIATION WITH THE GAMBINO FAMILY CAN BE PRODUCED BY

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Exec. AD-Inv.	
Exec. AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	<input checked="" type="checkbox"/>
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Off. of Cong. & Public Affs.	
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~~CONFIDENTIAL~~

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66 OCT 1981  
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SA [REDACTED] THE N [REDACTED] GAMBINO FAMILY COORDINATOR [REDACTED]

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THIS TESTIMONY WOULD INCLUDE THAT WHICH WOULD BE OFFERED  
BY SUPERVISION [REDACTED] AND SA [REDACTED]

FOR FISCAL REASONS SA [REDACTED] COULD ALSO TESTIFY  
TO THE INVESTIGATIVE ACTIVITY AND OBSERVATIONS OF  
SAS [REDACTED] AND [REDACTED]

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SGT. [REDACTED] NYPD, HAS BEEN CONTACTED CONCERNING  
HIS POSSIBLE TESTIMONY AT THESE PROCEEDING.

MIAMI SHOULD ADVISE US ATTORNEY'S OFFICE, SOUTHERN  
DISTRICT OF FLORIDA, OF ABOVE AND INDICATE SA [REDACTED]  
WILL APPEAR AT FATICO HEARING AND PROVIDE REQUESTED TESTIMONY.

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FM MIAMI (183A-510) P

TO DIRECTOR (145-5822) PRIORITY

NEW YORK (183-1549) PRIORITY

ATTENTION: D.A.D.

BT

UNCLAS

MIPORN, RICO (A); 03:MIAMI.

ROBERT DI BERNARDO, AKA; ET AL, ITOM; ITOM CONSPIRACY; 00:MIAMI.

MM FILE 145-1442.

RE MIAMI TELETYPE TO BUREAU AND OTHER OFFICES, OCTOBER 5, 1981, AND NEW YORK TELETYPE, OCTOBER 14, 1981.

AS SET FORTH IN REFERENCED MIAMI TELETYPE, THE IMPORTANCE OF THE DI BERNARDO FATICO HEARING CANNOT BE OVERSTATED FROM THE STANDPOINT OF THE 15 REMAINING TRIALS. NEW YORK TELETYPE DATED OCTOBER 14, 1981, CITES FISCAL REASONS FOR SENDING ONE AGENT FROM NEW YORK TO TESTIFY REGARDING OBSERVATIONS AND INVESTIGATION CONDUCTED BY SEVERAL OTHER AGENTS. SHOULD DI BERNARDO FATICO HEARING BE SUCCESSFUL, THIS RESULTING IN AT LEAST SOME PLACES FROM REMAINING

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DEFENDANTS, A MUCH GREATER SAVINGS WOULD BE REALIZED BY ELIMINATING FUTURE TRIALS AND THEREFORE AGENT TESTIMONY.

MIAMI STRIKE FORCE CHIEF [REDACTED] AFTER A REVIEW OF POTENTIAL WITNESSES AND AVAILABLE TESTIMONY, HAS REQUESTED THAT THE FOLLOWING NEW YORK AGENTS BE AVAILABLE TO FURNISH TESTIMONY:

SA [REDACTED] OR KNOWLEDGEABLE ALTERNATE TO TESTIFY REGARDING INFORMATION SET FORTH IN MIAMI TELETYPE.

SA [REDACTED] ALSO SET FORTH IN REFERENCED MIAMI TELETYPE.

SA [REDACTED] REGARDING SURVEILLANCES SET FORTH IN REFERENCED MIAMI TELETYPE, AND TO INFORMATION OBTAINED FROM TWO HIGHLY RELIABLE SOURCES REGARDING DI BERNARDO'S LCN STATUS, AND INDUSTRY INFLUENCE. SOURCE INFORMATION DEVELOPED SINCE REFERENCED MIAMI TELETYPE.

SA [REDACTED] WILL TESTIFY TO RECENT SOURCE INFORMATION PERTAINING TO DI BERNARDO'S ASSOCIATION WITH MICHAEL ZAFFARANO, DECEASED BONNANO FAMILY CAPO, AND HIS POWER IN THE PORNOGRAPHY INDUSTRY.

MIAMI IS OF OPINION THAT DUE TO DISTANCE INVOLVED AND

PAGE THREE MM (183A-510) UNCLAS

RELATIVELY CLOSED STATUS OF FATICO HEARING, THAT FIRST-HAND TESTIMONY BY INFORMANT CONTACT AGENTS WILL NOT JEOPARDIZE CONFIDENTIAL RELATIONSHIP. U.S. DISTRICT COURT JUDGE EUGENE SPELLMAN AWARE OF SENSITIVE NATURE OF THIS FORM OF TESTIMONY AND WILL LIMIT CROSS EXAMINATION. MIAMI STRIKE FORCE WILL ALSO WITHDRAW WITNESS SHOULD TESTIMONY LEAD TO EXPOSURE OF AN INFORMANT.

IT SHOULD BE NOTED THAT MIAMI DISTRICT JUDGES CONSISTANTLY GIVE MOST WEIGHT TO FIRST-HAND TESTIMONY WHEN FEASIBLE.

FOR SECURITY REASONS, MIAMI WILL BE PRESENTING SECOND-HAND INFORMATION FURNISHED BY JAMES "JIMMY-~~THE~~-WEASEL" FRATIANO, AND USA'S [REDACTED] AND BRUCE ELLAVSKY WILL BE TESTIFYING TO INFORMATION OBTAINED FROM MEMBERS OF THE PORNOGRAPHY INDUSTRY ABOUT DE BERNARDO.

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STRIKE FORCE CHIEF [REDACTED], WITH THE CONCURRENCE OF SAC, MIAMI, STRONGLY REQUESTS THAT ABOVE-LISTED AGENTS BE AVAILABLE FOR TESTIMONY.

THE BUREAU IS REQUESTED TO DIRECT NEW YORK TO MAKE THESE AGENTS AVAILABLE.

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11/4/81	UNCLAS E F T O	PRIORITY
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FM DIRECTOR FBI		
TO FBI MIAMI (183A-510) PRIORITY		
FBI NEW YORK (183-1549) PRIORITY		
BT		
UNCLAS E F T O		
MIPORN, RICO (A); OO: MIAMI		
ROBERT DI BERNARDO, AKA; ET AL; ITOM CONSPIRACY;		
OO: MIAMI, MM FILE 145-1442		
RE MIAMI TELETYPES TO THE DIRECTOR OCTOBER 8, 1981 AND		
OCTOBER 30, 1981, AND NEW YORK TELETYPE TO THE DIRECTOR		
OCTOBER 15, 1981.		
REFERENCED MIAMI TELETYPE DATED OCTOBER 30, 1981,		
REQUESTED THAT THE BUREAU DIRECT NEW YORK TO MAKE AGENTS		
LISTED IN SAME TELETYPE AVAILABLE FOR A FATICO HEARING		
REGARDING SUBJECT ROBERT DI BERNARDO AND STRESS THE IMPORTANCE		
OF REQUESTED AGENTS' APPEARANCE. REFERENCED NEW YORK TELETYPE		
ADVISES THAT TO ENSURE THE CONFIDENTIAL RELATIONSHIPS		
DO NOT TYPE MESSAGE BELOW. 1-5 LINE		
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183-1549	11/4/81	183-1549
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FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS CENTER

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PAGE TWO DE HQ 0166 UNCLAS E F T O

BETWEEN CONTACTING AGENTS AND INFORMANTS. THAT THE INFORMANT CONTACTING AGENT SHOULD NOT TESTIFY IN ORDER TO AVOID THE AGENT'S EXPOSURE TO THE UNCERTAINTIES OF CROSS-EXAMINATION AND HIS EXPOSURE TO THE PUBLIC WHILE OPERATING IN A CONTINUING CONFIDENTIAL RELATIONSHIP.

FBIHQ RECOGNIZES THE CONCERNS OF THE MIAMI DIVISION FOR A SUCCESSFUL FATICO HEARING AND ITS EFFECT ON FUTURE MIPORN RELATED PROSECUTION; HOWEVER, THE FBI'S OBLIGATION TO THE CONFIDENTIALITY OF THE INFORMANT IS EQUALLY AS IMPORTANT AND A FATICO HEARING WITH THE INFORMANT'S CONTACTING AGENT BEING CROSS-EXAMINED COULD THREATEN THIS RELATIONSHIP.

THEREFORE, NEW YORK SHOULD MAKE SA [REDACTED] AND SA [REDACTED] AVAILABLE FOR TESTIMONY AT THE FATICO HEARING OF SUBJECT DI BERNARDO ON NOVEMBER 16, 1981. SA [REDACTED] IS KNOWLEDGEABLE OF THE GAMBINO LCN FAMILY AND WILL PROVIDE INFORMATION REGARDING THE GAMBINO LCN FAMILY AS SET FORTH IN REFERENCED MIAMI TELETYPE DATED OCTOBER 8, 1981. SA [REDACTED] WILL PROVIDE INFORMATION REGARDING INFORMATION PROVIDED BY INFORMANTS AND OTHER INVESTIGATIVE INFORMATION. BOTH AGENTS SHOULD THOROUGHLY FAMILIARIZE THEMSELVES WITH RECENT

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PAGE THREE DE HQ D166 UNCLAS E F T O

DEVELOPMENTS AND INFORMANT INFORMATION REGARDING THIS  
INVESTIGATION. MIAMI SHOULD COORDINATE EXPECTED TESTIMONY OF  
SAS [REDACTED] WITH MIAMI STRIKE FORCE.

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FD-515 (Rev. 12-15-80)  
ACCOMPLISHMENT REPORT  
(Submit within 30 days from date of accomplishment)

Date 12/10/81

DIRECTOR, FBI

183A-2537  
Bureau File Number

145A-1442  
Field Office File Number

OC-2  
Squad or RA Number

Investigative Assistance or Techniques Used

Were any of the investigative assistance or techniques listed below used in connection with accomplishment being claimed? ☐ No ☒ Yes - If Yes, rate each used as follows:

- 1 = Used, but did not help  
2 = Helped, but only minimally  
3 = Helped, substantially  
4 = Absolutely essential

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1. Acctg Tech Assistance	Rating	6. ELSUR - Title III	Rating	11. Lab Div Field Support	Rating	16. Surveill Sqd Asst	Rating
2. Aircraft Assistance		7. Hypnosis Assistance		12. Pen Registers		17. SWAT Team Action	
3. Computer Assistance		8. Ident Div Assistance		13. Photographic Coverage		18. Telephone Records	
4. Consensus Monitoring		9. Informant Information		14. Polygraph Assistance		19. Undercover Operation	
5. ELSUR - FISC		10. Lab Div Exams		15. Show Money Usage		20. Visual Inves Analysis (V)	

ROBERT DI BERNARDO;  
ET AL  
ITOM;  
ITOM - CONSPIRACY  
MIPORN  
OO: Miami

A. Preliminary Judicial Process (Number of subjects)	Complaints	Informations	Indictments	D. Recoveries, Restitutions, Court Ordered Forfeiture or Potential Economic Loss Prevented (PELP)
B. Arrests, Locates & Summonses (Number of subjects)	Subject Priority (See Reverse)			Property or PELP Type Code *
FBI Arrests -	A	B	C	Recoveries
FBI Locates -				Restitutions
Criminal Summons				Court Ordered Forfeiture
Number of Subjects of FBI Arrests Who Physically Resisted				Potential Economic Loss Prevented
Number of Subjects of FBI Arrests Who Were Armed				
C. Release of Hostages: (Number of Hostages Released)				E. Civil Matters
Hostages Held By Terrorists				Government Defendant
All Other Hostage Situations				Government Plaintiff
				Amount of Suit
				Settlement or Award
				Enter AFA Payment Here

F. Final Judicial Process: Judicial District SD FL (Use two letter state abbreviations per U.S. Post Office Guide For Example The Northern District of Texas, as ND TX; The District of Maine as ME in the state field only)

Subject 1 - Name - Robert DiBernardo Subject's Description Code - 1B

<input type="checkbox"/> Pretrial Diversion <input type="checkbox"/> Dismissal <input type="checkbox"/> Acquittal	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Plea <input checked="" type="checkbox"/> Trial	Conviction	In-Jail Term	Suspended	Probation	Fine
- Convictions - Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant.		Title Section Counts	Yrs Mos	Yrs Mos	Yrs Mos	
		18 1462 4	2 0	0 0	5 0	\$ 5,000.
		18 1465 3	3 0	0 0	5 0	\$ 7,500.

Subject 2 - Name - Theodore Rothstein Subject's Description Code - 1C

<input type="checkbox"/> Pretrial Diversion <input type="checkbox"/> Dismissal <input type="checkbox"/> Acquittal	<input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Plea <input checked="" type="checkbox"/> Trial	Conviction	In-Jail Term	Suspended	Probation	Fine
- Convictions - Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant.		Title Section Counts	Yrs Mos	Yrs Mos	Yrs Mos	
		18 1462 4	2 0	0 0	5 0	\$ 5,000.
		18 1465 3	3 0	0 0	5 0	\$ 7,500.

Subject 3 - Name - Subject's Description Code -

<input type="checkbox"/> Pretrial Diversion <input type="checkbox"/> Dismissal <input type="checkbox"/> Acquittal	<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Plea <input type="checkbox"/> Trial	Conviction	In-Jail Term	Suspended	Probation	Fine
- Convictions - Enter conviction and sentence data in space at right. If more than four sections are involved, limit to the four most relevant.		Title Section Counts	Yrs Mos	Yrs Mos	Yrs Mos	

Attach additional forms if reporting final judicial process on more than three subjects.

Remarks: Subjects sentenced in US District Court, Southern District of Florida, Miami, Florida, on 12/7/81.

30 JAN 20 1982

DEC 30 1981

2 - Bureau  
2 - Field Office (1 - 145A-1442) (1 - 66F-418).

\* See codes on reverse side. Subject description codes in Section F are required only when reporting a conviction

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FBI/DOJ

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FM MIAMI (183A-510) P

TO DIRECTOR (145-5822) ROUTINE

NEW YORK ROUTINE

NEW ROCHELLE ROUTINE

LOS ANGELES ROUTINE

BROOKLYN-QUEENS ROUTINE

BOSTON ROUTINE

ALBANY ROUTINE

BALTIMORE ROUTINE

ATTENTION SA JOHN O' NEIL

BT

UNCLAS

MIPORN, RICO, OO:MIAMI.

ROBERT DIBERNARDO AKA, ET AL, ITOM: ITOM CONSPIRACY, OO:MIAMI,

MIAMI FILE 145-1442.

FATICO HEARING RE DIBERNARDO TENTATIVELY SCHEDULED FOR WEEK OF

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152 NOV 27 1981

3 OCT 14 1981

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FEDERAL BUREAU  
OF INVESTIGATION  
COMMUNICATIONS SECTION

Exec. AD-Adm.	
Exec. AD-Inv.	
Exec. AD-LES	A
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
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Off. of Cong. & Public Affs.	
Director's Sec'y	

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PAGE TWO MM 183A-510 UNCLAS

OCTOBER 26, 1981, BEFORE U.S. DISTRICT COURT JUDGE EUGENE SPELLMAN,  
SOUTHERN DISTRICT OF FLORIDA, MIAMI, FLORIDA.

FOR INFORMATION OF BUREAU, A SUCCESSFUL FATICO HEARING IS OF  
PARAMOUNT IMPORTANCE NOT MERELY FOR IMPOSITION OF A HEAVY SENTENCE ON  
DIBERNARDO, BUT FOR FUTURE MIPORN RELATED PROSECUTIONS. MIAMI STRIKE  
FORCE IS OF OPINION THAT REMAINING DEFENDANTS, WHO WILL BE TRIED IN  
APPROXIMATELY 15 MORE TRIALS OVER THE NEXT TWO YEARS, ARE "WATCHING"  
THE DIBERNARDO CASE, AND A HEAVY SENTENCE WILL BE DETERMINING FACTOR  
FOR MANY SUBJECTS IN CONSIDERATION OF ENTERING GUILTY PLEAS.

DIBERNARDO'S ATTORNEY [REDACTED] IS CONSIDERED ONE OF THE  
BEST OBSCENITY FIRST AMENDMENT ATTORNEYS IN THE COUNTRY, AND THE  
RECENT DIBERNARDO CONVICTION ON ALL 7 COUNTS OF ITOM AND ITOM  
CONSPIRACY HAS PROMPTED PLEA INQUIRIES FROM OTHER MIPORN DEFENDANTS.

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FATICO HEARING WILL ATTEMPT TO PRESENT TO JUDGE SPELLMAN,  
DIBERNARDO'S INFLUENCE AND CONTROL IN THE PORNOGRAPHY INDUSTRY AS WELL  
AS HIS LCN STATUS. MIAMI STRIKE FORCE ATTORNEY [REDACTED] HAS  
REQUESTED THE FOLLOWING INDIVIDUALS BE AVAILABLE TO GIVE TESTIMONY:

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SA [REDACTED] NEW YORK OFFICE GAMBINO FAMILY COORDINATOR. SA

[REDACTED] NEW YORK OFFICE GAMBINO FAMILY COORDINATOR. SA [REDACTED]

PAGE THREE MM 183-510 UNCLAS

WILL FURNISH AN OVERVIEW OF THE LCN, AND SPECIFICALLY THE GAMBINO FAMILY INCLUDING ITS POWER AND INFLUENCE, AND THE CURRENT FAMILY HIERARCHY.

SA [REDACTED], NEW YORK OFFICE, WHO WILL TESTIFY TO INFORMATION RECEIVED FROM A HIGHLY CONFIDENTIAL SOURCE REGARDING DIBERNARDO'S POSITION IN THE GAMBINO FAMILY, AND INFLUENCE IN THE PORNOGRAPHY INDUSTRY.

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SA [REDACTED] STATEN ISLAND RA, WHO WILL TESTIFY REGARDING OBSERVATIONS HE HAS MADE OF DIBERNARDO'S VEHICLE AT THE RESIDENCE OF PAUL CASTELLANO, BOSS OF THE GAMBINO FAMILY.

SA'S BRUCE ELLAVSKY (BOSTON DIVISION) AND [REDACTED] (LOUISVILLE DIVISION) UNDERCOVER AGENTS IN MIPORN, WILL TESTIFY TO INFORMATION THEY OBTAINED FROM INDIVIDUALS IN THE PORNOGRAPHY INDUSTRY REGARDING DIBERNARDO.

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SERGEANT [REDACTED] FORMERLY ASSIGNED NYCPD ORGANIZED CRIME INTELLIGENCE, WHO HAS CONDUCTED EXTENSIVE INVESTIGATION OF DIBERNARDO AND THE PORNOGRAPHY INDUSTRY IN NEW YORK.

THE FOLLOWING INDIVIDUALS MAY BE REQUIRED TO GIVE TESTIMONY, CONTINGENT UPON RESULTS OF INVESTIGATION CURRENTLY BEING CONDUCTED.

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SUPERVISOR [REDACTED] NEW ROCHELLE MRA., REGARDING SOURCE INFORMATION.

SA [REDACTED] NEW YORK OFFICE REGARDING BUSINESS RECORDS AND PERSONAL OBSERVATIONS.

DETECTIVE [REDACTED] NYCPD, OCCB INTELLIGENCE, REGARDING BACKGROUND INVESTIGATION CONDUCTED ON DIBERNARDO AND HIS COMPANIES.

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SA [REDACTED] LOS ANGELES DIVISION REGARDING CURRENT INVESTIGATION IN LOS ANGELES.

DETECTIVE [REDACTED] LOS ANGELES COUNTY SHERIFF'S OFFICE ORGANIZED CRIME BUREAU, REGARDING SOURCE INFORMATION.

RECEIVING OFFICES SHOULD ALERT ABOVE LISTED AGENTS AND POLICE OFFICERS OF POTENTIAL TESTIMONY. BUREAU AND PERTINENT OFFICES WILL BE ADVISED OF EXACT DATES FOR TESTIMONY WHEN AVAILABLE.

BROOKLYN-QUEENS REQUESTED TO DETERMINE THROUGH OBSERVATION AT DIBERNARDO'S RESIDENCE 1101 HARBOR ROAD, HEWLETT, NEW YORK, IF DIBERNARDO IS CURRENTLY USING A 1979 MERCEDES BENZ, NEW YORK LICENSE 504 DKF REGISTERED TO STAR DISTRIBUTORS 150 LAFAYETTE STREET, NEW YORK, NEW YORK.

PAGE FIVE MM 183A-510 UNCLAS

ALBANY AT DMV REQUESTED TO OBTAIN CERTIFIED COPY OF REGISTRATION  
INFORMATION FOR NEW YORK 504 DKF AND FORWARD TO MIAMI.

BALTIMORE REQUESTED TO FURNISH MIAMI BACKGROUND INFORMATION ON

[REDACTED]  
OF BIRTH [REDACTED]

DATE

[REDACTED] BALTIMORE AWARE OF MIAMI'S INTEREST IN

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FM MIAMI (183A-510) (OC-2) P

TO DIRECTOR (145-5822) ROUTINE

NEW YORK (183-1549) ROUTINE

ATTN: SA [REDACTED] M79

BT

UNCLAS

MIPORN, RICO, 00:MIAMI.

ROBERT DI BERNARDO, AKA; ET AL; ITOM; ITOM CONSPIRACY; 00:MIAMI,  
MIAMI FILE 145-1442.

FOR THE INFORMATION OF THE BUREAU AND NEW YORK, A FATICO  
HEARING HAS BEEN SCHEDULED IN U.S. DISTRICT COURT, MIAMI, DURING  
THE WEEK OF OCTOBER 26, 1981, FOR SUBJECT DI BERNARDO PRIOR TO  
SENTENCING ON ITOM CONVICTION. AS NEW YORK IS AWARE, MIAMI STRIKE  
FORCE WISHES TO PRESENT TESTIMONY AT HEARING REGARDING DI BERNARDO'S  
LCN STATUS, ASSOCIATES, INFLUENCE, AND BUSINESS CONTROL. DETECTIVE

[REDACTED] NYCPD, OCCB, 1 POLICE PLAZA, NEW YORK, NEW YORK,

HAS CONDUCTED EXTENSIVE INVESTIGATION REGARDING DI BERNARDO

152 NOV 27 1981

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BUREAU  
COMMUNICATIONS SECTION

Exec AD-Adm.	
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Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	
Ident.	
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SEVERAL YEARS AND IS IN-POSSESSION OF VOLUMINOUS RECORDS AND REPORTS PRODUCED THROUGH INVESTIGATION. MIAMI STRIKE FORCE ATTORNEY [REDACTED] HAS BEEN IN TELEPHONIC CONTACT WITH DETECTIVE [REDACTED] AND WILL UTILIZE MANY OF THE RECORDS IN POSSESSION OF NYCPD AT FATICO HEARING. [REDACTED] HAS REQUESTED THAT THESE RECORDS AND REPORTS OF INVESTIGATION BE REVIEWED FOR PERTINENCE PRIOR TO HER SUBMITTING FATICO BRIEF IN MID OCTOBER.

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SA [REDACTED], MIAMI CASE AGENT, WILL BE AT THE WILKES BARRE, PENNSYLVANIA, RA, SEPTEMBER 29, 30 AND OCTOBER 1, 1981, FOR AN ORGANIZED CRIME CONFERENCE (PA. FILES 183A-1016 AND 92A 4483). UACB, SA [REDACTED] WILL THEREAFTER TRAVEL TO THE NEW YORK OFFICE ON OCTOBER 2, 1981, TO CONFER WITH DETECTIVE [REDACTED] AND REVIEW RECORDS.

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SAC, MIAMI, CONCURS WITH TRAVEL.

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TO DIRECTOR IMMEDIATE

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UNCLAS

ROBERT DIBERNARDO; [REDACTED] MIPORN; OO: MIAMI.

SUBJECTS WERE CONVICTED IN SOUTHERN DISTRICT OF FLORIDA, MIAMI, FLORIDA, JUNE 19, 1981. ON DECEMBER 7, 1981, SUBJECTS WERE SENTENCED IN MIAMI, FLORIDA, ON SEVEN COUNT CONVICTION AND RECEIVED THE FOLLOWING IDENTICAL SENTENCES: COUNT ONE - TWO YEARS INCARCERATION AND \$5,000 FINE. COUNT TWO - FIVE YEARS PROBATION. COUNT THREE 7 EIGHTEEN MONTHS INCARCERATION AND \$2,500 FINE. COUNT FOUR - FIVE YEARS PROBATION. COUNT FIVE - EIGHTEEN MONTHS INCARCERATION AND \$2,500 FINE. COUNT SIX - FIVE YEARS PROBATION. COUNT SEVEN - FIVE YEARS PROBATION AND \$2,500 FINE.

INCARCERATION SENTENCES IN COUNTS ONE, THREE AND FIVE ARE TO RUN CONSECUTIVELY FOR A TOTAL OF FIVE YEARS FOR EACH SUBJECT.

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OF INVESTIGATION  
COMMUNICATIONS SECTION

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Legal Coun. \_\_\_\_\_  
Off. Cong. & Public Affs. \_\_\_\_\_  
Rec. Mgmt. \_\_\_\_\_  
Tech. Serv. \_\_\_\_\_  
Training \_\_\_\_\_  
Off. Dir. \_\_\_\_\_

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NOT RECORDED  
34 APR 12 1982

ORIGINAL FILED IN 145-6117-3

59 JUN 29 1982

PAGE TWO MM 183A7518 UNCLAS

FINE TOTAL \$12,500 FOR EACH SUBJECT.

BT

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FM MIAMI (183-510) P

TO DIRECTOR PRIORITY

LOUISVILLE PRIORITY

BT

UNCLAS

MIPORN; RICO OO: MIAMI

ROBERT DI BERNARDO; ET AL; ITOM; CONSPIRACY; OO: MIAMI.

MIAMI STRIKE FORCE ATTORNEY [REDACTED] HAS REQUESTED  
SA [REDACTED] LOUISVILLE DIVISION, TO BE PRESENT AT  
U.S. DISTRICT COURT MIAMI, FLA. 9:00 A.M. ON APRIL 26, 1982  
FOR DEPOSITIONS OF COURT APPOINTED PSYCHIATRISTS.

UACB SA [REDACTED] WILL BE PRESENT IN MIAMI MONDAY  
MORNING.

BT

8 APR 27 1982

NOT RECORDED

33 MAY 4 1982

6 MAY 13 1982

b6  
b7C

ORIGINAL FILED IN 145-5822-6014

## CRIMINAL INVESTIGATIVE DIVISION

## INFORMATIVE NOTE

Date 12/8/81

Re: MIPORN

Operation Miporn was a long-term undercover investigation directed at organized crime control of the national pornography industry in the U.S. This investigation, which lasted two years, resulted in the indictment of 42 individuals on charges of ITOM and ITSP in 10/80. This investigation has received nationwide media attention and has withstood numerous hearings and motions for suppression of evidence obtained as a result of court approved Title III interceptions and searches.

By teletype 12/7/81, Miami Division advised that on that date subjects Robert Dibernardo and [redacted] were sentenced in Southern District of Florida, Miami, Florida, on a seven-count conviction as follows: Count 1: two years incarceration and \$5000 fine; Count 2: five years probation; Count 3: 18 months incarceration and \$2500 fine; Count 4: five years probation; Count 5: 18 months incarceration and \$2500 fine; Count 6: five years probation; Count 7: five years probation and \$2500 fine. Incarceration sentences in Counts 1, 3 and 5 are to run consecutively for a total of five years for each subject. Total fines for each subject were \$12,500.

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BLS:mcm

APPROVED: *[Signature]*Adm. Servs. *[Signature]*Crim. Inv. *[Signature]*

Laboratory

Legal Coun.

Off. of Cong. &amp; Public Aff.

Rec. Mgmt.

Tech. Serv.

Training

Ident.

Inspection

Intell.

Training

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TO DIRECTOR IMMEDIATE

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UNCLAS

ROBERT DIBERNARDO; [REDACTED] MIPORN; OO: MIAMI.

SUBJECTS WERE CONVICTED IN SOUTHERN DISTRICT OF FLORIDA, MIAMI, FLORIDA, JUNE 19, 1981. ON DECEMBER 7, 1981, SUBJECTS WERE SENTENCED IN MIAMI, FLORIDA, ON SEVEN COUNT CONVICTION AND RECEIVED THE FOLLOWING IDENTICAL SENTENCES: COUNT ONE - TWO YEARS INCARCERATION AND \$5,000 FINE. COUNT TWO - FIVE YEARS PROBATION. COUNT THREE 7 EIGHTEEN MONTHS INCARCERATION AND \$2,500 FINE. COUNT FOUR - FIVE YEARS PROBATION. COUNT FIVE - EIGHTEEN MONTHS INCARCERATION AND \$2,500 FINE. COUNT SIX - FIVE YEARS PROBATION. COUNT SEVEN - FIVE YEARS PROBATION AND \$2,500 FINE.

INCARCERATION SENTENCES IN COUNTS ONE, THREE AND FIVE ARE TO RUN CONSECUTIVELY FOR A TOTAL OF FIVE YEARS FOR EACH SUBJECT.

59 JUN 29 1982

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FEDERAL BUREAU  
OF INVESTIGATION  
COMMUNICATIONS SECTION

Exec. AD-Adm. \_\_\_\_\_  
Exec. AD-Inv. \_\_\_\_\_  
Exec. AD-LES \_\_\_\_\_  
Asst. Dir.:  
Adm. Servs. \_\_\_\_\_  
Crim. Inv. BT  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Rec. Mgmt. \_\_\_\_\_  
Tech. Servs. \_\_\_\_\_  
Training \_\_\_\_\_  
Off. of Cong. & Public Affs. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director's Sec'y \_\_\_\_\_

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ETOM

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FINE TOTAL \$12,500 FOR EACH SUBJECT.

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